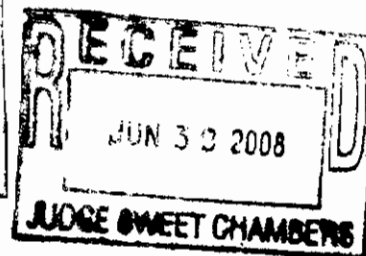


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D.

7/8/08



June 27, 2008

VIA FIRST CLASS MAIL

Hon. Robert W. Sweet  
United States District Judge  
United States Courthouse  
500 Pearl St., Room 1920  
New York, NY 10007

*The dismissal for  
failure to prosecute is  
vacated. So ordered  
Sweet  
USDJ  
7-1-08*

Re: Balestriere PLLC v. Watson, No. 08-cv-578 (RWS)

Dear Judge Sweet:

I represent the plaintiff in the above referenced action. On June 12, 2008, I received an order dismissing this case for failure to prosecute. I write this letter in response to Your Honor's order and pursuant to your clerk's suggestion.

This action was filed against Mr. Watson on January 23, 2008. For nearly two months my office attempted to serve Mr. Watson with the summons and complaint, but we were unable to learn Mr. Watson's precise whereabouts. We made numerous attempts to locate Mr. Watson, contacting the various agencies that have handled his criminal matter and even attempting to speak with his probation officer. On or about April 25, 2008, we finally learned Mr. Watson's address, which was listed as 2151 Route 38 East, Apartment 708, Cherry Hill, New Jersey 08002.

We thereafter instructed our process server to serve Mr. Watson at the above address, but the process server was unable to effect personal service. After several unsuccessful attempts, we instructed the server to "nail and mail" the summons and complaint under F.R.C.P. 4(e)(1) and N.Y. C.P.L.R. § 308(4), which occurred on May 19, 2008. A copy of the affidavit of service is attached herein.

Under F.R.C.P. 12(a)(1), Mr. Watson had twenty days, or until June 19, 2008, to respond to the complaint. However, as of the date of this letter, we have received no response of any kind from Mr. Watson or from anyone purporting to represent Mr. Watson.

Hon. Robert W. Sweet  
June 27, 2008  
Page 2 of 2

Since filing the complaint on January 23, 2008, we have made every reasonable effort to prosecute this matter as expeditiously as possible. Indeed, any failure or neglect in connection with this action is solely Mr. Watson's. Accordingly, I request that this matter be reinstated so that we may properly dispose of the action.

Thank you for your time and attention to this matter. If you have any questions or concerns, please do not hesitate to contact me at your earliest convenience.

Respectfully submitted,



Craig Stuart Lanza

cc: Jamal E. Watson  
2151 Route 38 East  
Apartment 708  
Cherry Hill, NJ 08002